

Richard A. Harpootlian, *pro hac vice*
rah@harpootlianlaw.com
Phillip Barber, *pro hac vice*
pdb@harpootlianlaw.com
RICHARD A. HARPOOTLIAN, PA
1410 Laurel Street
Columbia, South Carolina 29201
Telephone: (803) 252-4848
Facsimile: (803) 252-4810

BRYAN M. SULLIVAN (SBN 209743)
bsullivan@earlysullivan.com
ZACHARY C. HANSEN (SBN 325128)
zhansen@earlysullivan.com
EARLY SULLIVAN WRIGHT GIZER & McRAE LLP
6420 Wilshire Boulevard, 17th Fl.
Los Angeles, California 90048
Telephone: (323) 301-4660
Facsimile: (323) 301-4676

Attorneys for PLAINTIFF
ROBERT HUNTER BIDEN

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

ROBERT HUNTER BIDEN, an
individual,

Plaintiff,

vs.

PATRICK M. BYRNE, an individual,

Defendant.

Case No. 2:23-cv-09430-SVW-PD

Hon. Stephen V. Wilson

**PLAINTIFF ROBERT HUNTER
BIDEN'S MOTION IN *LIMINE* NO.
3 TO EXCLUDE EVIDENCE THAT
PLAINTIFF IS A PUBLIC FIGURE;
DECLARATION OF ZACHARY C.
HANSEN**

*[[Proposed] Order filed and served
concurrently herewith]*

Date: July 21, 2025
Time: 3:00 p.m.
Ctrm.: 10A

Complaint Filed: November 8, 2023
Trial Date: July 29, 2025

TO ALL INTERESTED PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 21, 2025 at 3:00 P.M., or as soon thereafter as the matter may be heard in Courtroom 10A of the above-entitled Court, located at 350 W. 1st Street, Los Angeles, California 90012, Plaintiff Robert Hunter Biden (“Plaintiff”), by and through his attorneys of record, hereby moves this Court in *limine* for an order precluding Defendant Patrick M. Byrne (“Defendant”), his attorneys, and witnesses from referring to, testifying about, or otherwise offering any evidence or argument at trial referring or relating to Plaintiff being a public figure, a fact conceded by Plaintiff in this action.

This motion is made pursuant to Federal Rule of Evidence 401, and the inherent powers of the Court, on the grounds that such evidence relates to matters that are not in controversy in this action, and is irrelevant, immaterial, and inadmissible, and the introduction of such evidence or argument would be more prejudicial than probative.

Pursuant to L.R. 7-3, Plaintiff’s counsel met and conferred with Defendant’s counsel prior to the filing of this Motion. As of the time of filing, Defendant’s counsel has not indicated whether they intend to oppose this Motion. (*See Declaration of Zachary C. Hansen, ¶2, Ex. A.*)

///

///

///

///

///

///

///

///

///

///

1 This application is based upon the accompanying Memorandum of Points and
2 Authorities, the declaration of Zachary C. Hansen, as well as the pleadings and other
3 documents on file with the Court, oral argument at the time of the hearing, and upon
4 such further matters that the Court may consider in ruling on this Motion.

5
6 Dated: June 23, 2025

EARLY SULLIVAN WRIGHT
GIZER & MCRAE LLP

7
8 By: /s/ Zachary C. Hansen

9
10 BRYAN M. SULLIVAN (State Bar No.
209743)
bsullivan@earlysullivan.com
11 ZACHARY C. HANSEN (State Bar No.
325128)
zhansen@earlysullivan.com
12 EARLY SULLIVAN WRIGHT GIZER
& McRAE LLP
13 6420 Wilshire Boulevard, 17th Fl.
14 Los Angeles, California 90048
Telephone: (323) 301-4660
15 Facsimile: (323) 301-4676

16 Richard A. Harpootlian, *pro hac vice*
rah@harpootlianlaw.com
17 Phillip Barber, *pro hac vice*
pdb@harpootlianlaw.com
18 RICHARD A. HARPOOTLIAN, PA
1410 Laurel Street
19 Columbia, South Carolina 29201
Telephone: (803) 252-4848
20 Facsimile: (803) 252-4810

21 *Attorneys for Plaintiff*
22 *Robert Hunter Biden*
23
24
25
26
27
28

MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff Robert Hunter Biden (“Plaintiff”) has conceded for purposes of this case that he is a public figure. (*See* ECF No. 91, at p. 2, n. 2; ECF No. 185, at p. 5, n. 2.) As such, that fact is conclusively settled for purposes of this case and trial. Therefore, there is no relevance or purpose for Defendant Patrick M. Byrne (“Defendant”), his attorneys, or witnesses, to waste the Court’s and the jury’s time by presenting any evidence and/or argument regarding whether Plaintiff is a public figure for purposes of this case, because it is neither probative of any fact at issue, nor of consequence to the determination of this action. (*See* Federal Rule of Evidence Rule 401 (defining relevant evidence as evidence that “has any tendency to make a fact more or less probable than it would be without the evidence [and] the fact is of consequence in determining the action.”))

Accordingly, pursuant to the Federal Rule of Evidence 401, and the Court’s inherent authority, Plaintiff hereby respectfully requests an order in *limine* precluding Defendant, his attorneys, and witnesses from referring to, testifying about, or otherwise offering any evidence or argument at trial referring or relating to Plaintiff being a public figure, a fact conceded by Plaintiff in this action.

Dated: June 23, 2025

EARLY SULLIVAN WRIGHT
GIZER & MCRAE LLP

By: /s/ Zachary C. Hansen

BRYAN M. SULLIVAN (State Bar No. 209743)
bsullivan@earlysullivan.com
ZACHARY C. HANSEN (State Bar No. 325128)
zhansen@earlysullivan.com
EARLY SULLIVAN WRIGHT GIZER
& McRAE LLP
6420 Wilshire Boulevard, 17th Fl.
Los Angeles, California 90048
Telephone: (323) 301-4660
Facsimile: (323) 301-4676

1 Richard A. Harpootlian, *pro hac vice*
2 *rah@harpootlianlaw.com*
3 Phillip Barber, *pro hac vice*
4 *pdb@harpootlianlaw.com*
5 RICHARD A. HARPOOTLIAN, PA
6 1410 Laurel Street
7 Columbia, South Carolina 29201
8 Telephone: (803) 252-4848
9 Facsimile: (803) 252-4810

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Attorneys for Plaintiff
Robert Hunter Biden

DECLARATION OF ZACHARY C. HANSEN

I, Zachary C. Hansen, declare and state as follows:

1. I am an Attorney within the law firm of Early Sullivan Wright Gizer & McRae LLP, attorneys of record for Plaintiff Robert Hunter Biden (“Plaintiff”) herein. I submit this declaration in support of Plaintiff’s Motion in *Limine* No. 3 seeking an order precluding Defendant Patrick M. Byrne (“Defendant”), his attorneys, and witnesses from referring to, testifying about, or otherwise offering any evidence or argument at trial referring or relating to Plaintiff being a public figure, a fact conceded by Plaintiff in this action. If called as a witness, I would and could testify to the matters contained herein.

2. Pursuant to L.R. 7-3, I sent Defendant’s an email on June 23, 2025 to meet and confer regarding Plaintiff’s intent to file Motion in *Limine* No. 3, which also set forth the basis of the Motion. As of the time of filing, Defendant’s counsel has not indicated whether they will oppose the Motion. A true and correct copy of the meet and confer email is attached hereto as **Exhibit “A”**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 23rd day of June, 2025, at Summit, New Jersey.

/s/ Zachary C. Hansen

Zachary C. Hansen